

MINUTES

May 11, 2012

Eugene Hearings Official Public Hearing – Appeal of Administrative Order 58–12–02 Buford Conference Room –859 Willamette Street, Eugene

1. Introduction

Mr. Gary Darnielle introduced himself as a Eugene Hearings Official and noted that it was 2:00 p.m. on May 11, 2012 and the location was the Buford Conference Room at the Lane Council of Governments offices at 859 Willamette Street, Eugene, Oregon. Mr. Darnielle explained that this was the time and place for a hearing regarding the appeal of Administrative Order 58–12–02, which removes parking from the south side of 24th Avenue, from Friendly Street to Chambers Street and also removes calming devices in this area, and adds striped bike lanes from Friendly Street to Chambers Street.

Mr. Darnielle further explained that Eugene Administrative Order 58–92–01 contains the procedures for the conduct of appeals of administrative orders and appeal hearings before the Eugene Hearings Official. He noted that Administrative Order 58–12–02 was appealed by the executive board members of the Friendly Area Neighbors. The appeal alleged that in the adoption of Administrative Order 58–12–02, the Eugene Traffic Engineer relied upon inadequate traffic data, that the removal of calming devices will cause an increase in automobile speed on 24th Avenue, that the removal of parking on the south side of 24th Avenue will result in event parking being extended further into the neighborhood, and that bikes would be safer on 22nd Avenue than on 24th Avenue.

Mr. Darnielle noted that Eugene Code Section 5.040(1)(h) provides that the duties of the Traffic Engineer included the ability to “establish, maintain, remove or alter all traffic control areas and traffic control devices.” He stated that the criteria for taking such administrative actions are found in Eugene Code Section 5.055. Essentially the traffic engineer must consider 14 factors in his or her administrative action.

Mr. Darnielle explained that the scheduled hearing could be characterized as being de novo and quasi-judicial. De novo means that any issues relevant to the approval criteria may be raised. Quasi-judicial means that certain due process rights, such as the right to testify, to have an impartial decision-maker, and to have a written decision based upon findings of fact and conclusions of law, are required. The evidentiary rules are more relaxed than that of a circuit court. The burden of proof to show that the Traffic Engineer erred lies with the appellants.

Mr. Darnielle noted that the testimony would be recorded on tape and that it would be necessary for those who testify to do so at a chair located next to the Hearings Official. Mr. Darnielle also asked that those who wished a copy of the Hearings Official's decision print their name and address on the sign-up sheet. Mr. Darnielle then asked those who wished to testify to first give their name and then spell their last name for the record. It was explained that the Eugene Code requires that the Hearings Official's decision be issued within 90 days of the date of the appeal; which in this situation is by June 14, 2012.

Mr. Darnielle informed those who wished to testify that they must address their testimony to the applicable approval criteria. He also explained that procedural and substantive issues must be raised at the Hearings Official level with a sufficient degree of specificity for parties, including the Hearings Official, to understand the issue being raised. Failure to raise an issue with this degree of clarity will preclude the ability to raise the issue on appeal to the Oregon Land Use Board of Appeals (LUBA). Mr. Darnielle noted that his was the final decision at the local level and that in a 1994 decision of his regarding the removal of parking spaces he ruled that such a decision was a land use decision. Land use decisions are taken to LUBA although normally an appeal of an administrative order would be heard by the Lane County Circuit Court. Mr. Darnielle advised the audience that therefore they would have to be careful in filing an appeal given the uncertainty as to with whom that appeal must be filed.

Next, Mr. Darnielle explained the hearing procedure. He noted that his first duty was to ask for the formal submission of the record by staff. Following that submission, he will hear testimony from the appellants and then from others who wish to speak in support of the appeal. Following that testimony, he will hear testimony from others. Next, staff will have an opportunity to respond and make a formal recommendation and finally the appellants will have time for oral rebuttal.

Finally, Mr. Darnielle indicated that he had no conflicts of interest nor had he any ex parte contacts in regard to the issue he was adjudicating. He explained what a conflict of interest and an ex parte contact was and asked the audience if anyone wished to challenge his impartiality or the jurisdiction of the hearings official to hear this appeal. No challenge was made.

2. Presentation of Staff Report

Mr. Tom Larsen, Eugene Traffic Engineer presented a copy of the record, as it existed at 5:00 p.m. on May 4, 2012, to the hearings official. Mr. Larsen noted that a packet had been delivered to the hearings official and summarized the contents of the packet. In regard to the contents of the record, he noted that the appeal was the subject of a Register Guard article published on Wednesday, May 9 and, subsequent to that article, staff received 15 emails on the issue. The emails were from interested parties, most of whom lived in the area around 24th Avenue, and fourteen of the fifteen were in support of the project. Mr. Larsen pointed out

that the appellants' submission contained a number of colored photographs that weren't accompanied with much explanatory information. Mr. Larsen also indicated that he was supplying two large-scale maps of the project area, one for the hearings official and one for the appellants.

Mr. Larsen stated that the issue before the hearings official was how to accomplish establishing bike lanes on 24th Avenue. Bike lanes on 24th are in TransPlan, is a long desired project of the city and a paving project presented an opportunity to accomplish this goal. Staff held public meetings to discuss the tradeoffs necessary to provide bike lanes. After the public meetings, decisions were made and the preferred alternative is to remove the parking, remove the bump-outs; basically replacing one method of traffic calming with another. The administrative order permanently removes the parking. Under the administrative order regarding appeal procedures, the traffic engineer is the one who determines whether advance notice should be made. Given the magnitude of the change, the administrative order was signed and notice was given to all the property owners on the south side of 24th Avenue where the parking was to be removed. At the end of that period an appeal was filed and a hearing scheduled.

3. Public Testimony

Nancy Ellen Locke—1130 W. 25th Avenue, representing the Friendly Area Neighbors (FAN) Board, requested a one-month extension of the appeal decision in order to obtain a summer month traffic count. She noted that the project was moving forward with only a late fall traffic count and that the traffic is very different between summer and winter months. In the winter many people “snow bird” and others just aren't out as much. In the summer, the huge park has many facilities that attract the Boys and Girls club activities, Frisbee golf, track, a food venue providing free lunches to children, and a police academy that meets at the local middle school.

Ms. Locke suggested that she would like to have a summer test period with the placement of traffic cones on the south side of 24th Avenue to see the effect of the removal of parking spaces. In the Winter, Ms. Locke suggests that the parking removal will adversely affect people on times of rain and early darkness and that it will be unsafe for people living on the south side of 24th Avenue.

Ms. Locke said that she would like to get all the parties together with a facilitator to try to work out the problems. She pointed out that the Envision Eugene project was an example where differing opinions could be successfully brought together to solve problems. Ms. Locke submitted for the Hearings Official's consideration a document titled “Standards of Public Participation – Recommendations for Good Practice, 2008.”

In response to Ms. Locke's request for a one-month extension of the appeal decision, the Hearings Official re-iterated that the Eugene Code required that he

issue a decision within 90 days of the filing of the appeal. He noted that it might be possible for the City and the appellants to waive the decision deadline. If that were to happen he indicated that he would be willing to withhold his decision but without that waiver he would have to issue his decision by June 14. Mr. Darnielle stated that he would be willing to delay his decision for a week or two to allow the parties time to discuss an extension to the appeal decision date.

Bernard Corrigan—2520 Jackson St., submitted statements from neighborhood residents Bess Noble, Bill Slattery, and Wendy Knight. Mr. Corrigan spoke specifically about the removal of the bump-outs. Mr. Corrigan has lived in the Friendly Neighborhood for 37 years and is opposed to the administrative order 58-12-02, specifically section C.3. He noted that it was a three and one-half year process by the neighborhood to get the high speeds on 24th Avenue reduced through the installation of bump-outs. During this period, neighborhood representatives worked with city staff to produce a carefully planned network of bump-outs, chicanes, speed bumps, and traffic circles that would slow traffic. And it worked. He said they got the approval from 85 percent of the neighborhood households to install the traffic calmers but now the city wants to take them out with very little public process.

Mr. Corrigan noted that the city had a couple of poorly attended meetings and claimed that the neighbors have signed off on the project. He stated that he is submitting a petition signed by 32 of the 48 occupied residences directly or partially bordering on 24th Avenue what oppose the removal of parking and support the repaving of the road in its current configuration. Two other residents refused to sign the petition; one because he was in support of the bike lanes and the other because he had just moved into the neighborhood. Mr. Corrigan noted that the process for the removal of the traffic calming devices is very different from the careful process and hundreds of hours of the neighbors' time required to install those devices.

Mr. Corrigan suggested that if there were sharrows, directions painted on the road, and signs posted that it might be safer for bicyclists. He noted that there was a bicycle path that went part way through Westmoreland Park where it gets to the ATA school grounds that could be directed to reconnect to 22nd Avenue. He believes that 22nd Avenue is a better bicycle route than 24th because it does not end at Chambers Street and it is flatter. Finally, he noted that by the city's own measurements the traffic calming features are working so "if it isn't broke, don't fix it."

Greg Giesy – 42 W. 19th Avenue, Eugene, noted that the neighbors had been caring for the bump-outs during the last eight years that they have been there and have planted them with a grant that the neighborhood received from State Farm Insurance. This was part of the arrangement with the city in order to get the bump-outs installed. Also, he noted that 22nd Avenue has been designated for a bicycle lane by TransPlan.

Mr. Giesy stated that the neighborhood is interested in a reasonable study and a balanced safety recommendation for the area. We believe of the traffic calming and parking adds to the danger on the street for bikes, pedestrians and anyone there, including cars. The average speed on 24th Avenue before the bump-outs was somewhere between 35 and 40 miles an hour; it is now 26 miles per hour. The highest radar-recorded speed on 24th before the bump-outs was 70 miles per hour.

Mr. Giesy explained that the neighbors believe that the traffic study and parking study were flawed. One day in November does not tell what the street does when you have a park and athletic fields adjacent. Also, the city and the school district just spent over \$1 million on an all-weather soccer field and a state-of-the-art track on 24th Avenue. Removal of parking is a little ridiculous considering how much public investment has recently gone into the park. Some of the stakeholders, such as Kidsports, who constantly use the fields in the summer, were not notified of the hearing. The Parks Department signed off because the parking on the north side of the street was retained.

Between Friendly and Jefferson, 24th Avenue turns into a narrow, curved road that has limited visibility and is too dangerous for bikes. TransPlan says 24th should have bike route and it could be a bike boulevard like 33rd Avenue. There are sharrows at 29th Avenue and Willamette and therefore they should work on less congested 24th Avenue. Jefferson is being repaved and is designated for a bike route but there are no apparent plans to put a bike lane on it.

A major concern noted by Mr. Giesy is that if the traffic calming and the parking spots are removed and the street reverts back to its earlier speeds there is no money available to reinstall the devices and it is said that the street no longer qualifies for traffic calming devices. The neighbors are concerned because the traffic engineers have promised to reinstall traffic calming devices on Polk Street for the past six years which was removed by people driving over it and from damage by snow plows.

Mr. Giesy believes that pedestrians are not adequately accommodated by the bike plan for 24th Avenue because there are some areas on the street where there are no sidewalks, forcing bicyclists and pedestrians to share the road. The reduction of parking on the south side of 24th Avenue will also increase the amount of jaywalking by pedestrians because there are no intersections with crosswalks along a lengthy portion of the street. This will be an unsafe situation in winter when it is dark and rainy.

Nancy Ellen Locke—1130 W 25th Avenue, testifying on her own behalf, offered an Envision Eugene review of the appeal. The first pillar is to “provide ample economic opportunities for all community members.” There are four businesses on W. 24th Avenue and there has been no concern for how they will be impacted

by the administrative order. The third pillar is to “plan for climate change and energy uncertainty.” The FAN Board has supported bike projects all over the neighborhood. As examples, Ms. Locke cites FAN support for the cut-through installed from Chambers to Fillmore, the bike path in Friendly Park, the additional bike facilities put in at Woodland Station, and other projects that affect the Friendly neighborhood.

Pillar Five is to “protect, repair, and enhance neighborhood livability.” Eleven percent of the Friendly neighbors commute via bicycles. The bump-outs lowered the vehicle speed on dry pavement from 30 miles per hour, which has a stopping distance of 112 feet, to 25 miles per hour, which has a stopping distance of 88 feet. The FAN Board is concerned about protecting everyone who uses West 24th Avenue, including vehicles, bicyclists, pedestrians and those with special needs. Ms. Locke presented a chart showing monthly variation of Eugene bicycle volumes that showed high use in the summer.

Before the installation of bump-outs, the eighty-fifth percentile of traffic speed was 35 miles per hour. After bump-outs it was 28.6 miles per hour; the difference being 6.4 miles per hour. This project had honest buy-in, with at least 60 percent neighborhood support, and up to 100 percent support in some areas.

Pillar Seven is to “provide for adaptable, flexible, and collaborative implementation.” Ms. Locke reviewed the graphic alternatives for the design of 24th Avenue that were provided by City staff at the first public meeting on the proposed 24th Avenue project. The plan that many of the neighbors were interested in used the sharrows. At the meeting the neighbors also suggested the installation of “green boxes,” where bicyclists at Polk and at Friendly would have a green space to make them more visible when they cross the street or make their turns. Another suggestion was for a climbing lane for the steep part of the hill to Jefferson Street. These suggestions were never really talked about or discussed. At the second meeting with city staff, a traffic engineer reported that the bicyclists did not like the neighborhoods choice of design and therefore took it off the table. The engineer further reported that it was cheaper to pave the street without the bump-outs in it. As a result, the neighbors did not feel that this was a very collaborative situation.

Cynthia Kokis–2465 Jefferson Street, Eugene, noted that there are a lot of “needs” present. There are the needs of cars, bikers, walkers, residents, children, and buses that must be dealt with. She, her husband and two children moved to the neighborhood in 1974 and biking is their main means of travel. Now, she and her husband walk a lot around the neighborhood.

Ms. Kokis suggested that it should be considered what happens when we away a \$100,000 calmer (bump-outs). It says to some that we have money to throw away, that we didn’t think ahead. This is not a good message to send. We were exposed to speeders before the calmers went in, and now we are not, as much.

Most people do not observe the 25 mph speed limit. I stop at stop signs and many people don't. It is even more dangerous at cross-walks, especially for children. We need to be more courteous and that means not taking away parking spots.

David Cunningham—960 W. 24th Avenue, has lived there for 41 years. When he first moved in, it was possible to put up a basketball hoop on the curb and shoot foul shots from the middle of the street. Traffic has gotten worse over the years. The bump-outs have been very effective. He has been a radar observer for the City of Eugene for the school-zone around Adams Elementary. The kids use the bump-outs more than anyone else to safely cross the street. He would like to emphasize that the bump-outs are working. Discussions with the Knife River employees, who do the street paving, have indicated that the bump-outs do not increase the cost of paving a street.

Michele Coleman—1530 W. 24th Avenue, has lived on the south side of the avenue for more than 20 years. She explained that she has raised 9 children at that location and they have crossed the street countless times to use the fields on the north side of 24th Avenue. The section of the street that she lives on, between Polk and Chambers, the last of the bump-outs is located in front of her neighbor's house, and she has noticed that they have been effective. She indicated that she would have signed the petition if she had had an opportunity to do so. The most effective thing to improve speed controls on 24th Avenue, from Polk to Fillmore, would be to install a speed limit sign and a cross-walk.

Jeff Cook—1810 Tigertail Road, Eugene, explained that he didn't live in the neighborhood but that he rides his bike frequently down Chambers to drop his daughter off at her preschool located at 18th and Polk. The safest route for him is to turn off of Chambers onto 24th Avenue, continue down to Polk Street, and then turn onto Polk Street. His one observation about the bump-outs is that when you are on a bicycle, especially one with a trailer, it is very unnerving to merge into traffic, which occurs around bump-outs. When you are merging, the traffic will either slow down, speed up, or go around you in the other oncoming traffic lane. Mr. Cook testified that he was totally in support of the alternative suggestion that a bike linkage between Chambers and Polk Street be created on 22nd Avenue. Sharrows are better than nothing but are not as safe as a dedicated bike lane as they only indicate that there will be a merging about to happen.

Mr. Darnielle noted for the record, that Mr. Cook works at the Lane Council of Governments, the same agency that he works at, but that the two had not discussed this issue.

Steve Gordon—1140 W. 24th Avenue, stated that he and his wife Suzie have lived at this address since 1975. He explained that they have three concerns with the project that have been submitted in writing and an attached letter that they wrote to Reed Dunbar, supporting the West 22nd Avenue alternative.

The public testimony portion of the hearing concluded. Mr. Darnielle commented that he had read all the written material that had been submitted to him in advance of the hearing and would be re-reading those materials as well as the materials presented for the first time at the hearing prior to the issuance of a final decision.

4. **Staff Response**

Mr. Tom Larsen, Eugene Traffic Engineer, addressed the comments made by the appellants and others who testified. He reiterated that bike lanes along 24th Avenue has long been identified as a city project. After the public meeting on February 16th he signed the administrative order and made the decision that advance notice of the opportunity to appeal would be given. An appeal was filed by the FAN Board and the city has allowed those persons to appeal as individuals rather than as a board of directors. The policy framework that we are working under is the design standards for collector streets. On major collector streets, parking is an option and bike lanes are a standard feature. That means that where there is an opportunity to build bike lanes the city would do so. TransPlan included Project 121 that called for striped bike lanes or a route on 24th Avenue. The Eugene Pedestrian & Bicycle Master Plan, which has been accepted by the Eugene City Council, but not fully approved, is part of the Transportation System Plan Update. The Eugene Pedestrian & Bicycle Master Plan changes Project 221 in that it adds bike lanes on West 24th Avenue. At the time TransPlan was done, bike boulevards were not an accepted concept so it didn't include a project on West 22nd Avenue. The Pedestrian & Bicycle Master Plan does include a bike boulevard on 22nd Avenue. The existing bump-outs provide a safety hazard to bikes.

Mr. Larsen explained that there are 14 criteria to consider in adopting an administrative action and that Administrative Order 58-12-02 did consider those criteria. He summarized how the staff considered those criteria, which are found in Eugene Code Section 5.055.

In terms of traffic engineering principles and traffic investigations, Mr. Larsen stated West 24th Avenue is a major collector and bike lanes are critical to this category of street. The width ended up being proposed is consistent with compromises the city has made in other situations where it is the best interests to fit the transportation facility within the existing curbs instead of removing the curbs to add an additional two feet for the desired width when an adequate width could be maintained. The City did do parking surveys (in November) and that the average parking usage was very, very light. He considered the short-term parking at the playing fields and the availability of year-around parking for residents and these issues were discussed at the public meetings. The November parking surveys documented that the average number of parked cars on the south side of 24th Avenue was between nine and ten out of a potential for 108 spaces and there was a potential for 138 spaces on the north side of the avenue.

Bump-outs work by creating the appearance that the road is narrower. Mr. Larsen speculated that his parked F-350 pickup truck would have more traffic calming ability than a smaller bump-out.

The 138 parking spaces on the north side of the street are adequate to meet the demands of the neighbors. The city's postcard survey found a 60 percent approval of removing parking from the south side of the avenue.

Speeds have gone down but traffic engineers focus on an 85 percentile measure of speed as a statistical measure. Those speeds have decreased an average of about 2.5 miles per hour since the installation of the bump-outs.

Mr. Larsen addressed recognized traffic control standards and noted that traffic calming does not have a lot of established standards. Many traffic calming efforts are done in response to neighborhood demands and the criteria vary from jurisdiction to jurisdiction.

Mr. Larsen reiterated that transportation-related plans and policies in TransPlan, the Pedestrian & Bicycle Master Plan and the City Arterial Collector Street Plan indicate that the community is best served by having bike lanes. He noted that the utilization of bicycles on West 24th Avenue is allowed by state law and bike lanes make it safer for this legal activity. Mr. Larsen also noted that a decision that involves bike lanes and parking must balance the year-round parking by residents and daily use by cyclists with the short-term intermittent seasonal use of parking for events.

Mr. Larsen stated that he had talked to Parks and Recreation staff and that they did not indicate that the parking on the south side of West 24th Avenue, away from the playing fields, was that critical.

It was pointed out by Mr. Larsen that West 24th Avenue is a Major Collector and the intensity of a use on such a street speaks for the need for bike lanes. He also noted that testimony from cyclists has been that the bump-outs are a hazard.

Mr. Larsen stated out that the removal of parking would have no impact on emergency response time and that the removal of the parking spaces and bump-outs would make the street safer for the public. He also explained that the intensity of playing fields, relative to the parking, was a part of all of his discussions.

Mr. Larsen noted that Mr. Giesy's comments about W. 24th Avenue having speeds averaging 35 to 40 miles per hour differ from any data of which he was aware. His records indicate that studies show pre-traffic calming speeds on W. 24th Avenue were between 30 and 33 miles per hour. The installation of the bump-outs were supported by four studies, each less than one hour long, representing

about 3 hours and 20 minutes of gathered data. Speed studies taken after the installation of the bump-outs range from between 29 and 30 miles per hour.

Mr. Larsen commented on the reference that was made to a desire to do a facility like 33rd Avenue. Thirty-third is a project that he would categorize as being very problematic as it has bump-outs and sharrows. Sharrows have no legal meaning in Oregon and are not well understood by cyclists or drivers. There have been a fair number of complaints about that facility, primarily from bicyclists, and it is not a design that he would consider replicating. Sharrows are described in the Manual on Uniform Traffic Control as being used in five different applications; one of the early implementations was to temporarily use them where there was a gap and weren't sure what to do. There is an ongoing study of South Willamette Street that may result in the removal of the sharrows in favor of marked bike lanes.

Mr. Larsen indicated that he would like to look at the data supplied by Ms. Locke and noted that it was not consistent with the data that he has. He noted that the letter from Cynthia Kokis was in the packet of materials submitted to the hearings official. With that, Mr. Larsen concluded his testimony.

5. Appellant's Rebuttal

Greg Giesy—Mr. Giesy said that it appears to him that the traffic calming devices have lowered the amount of traffic on the street so he wonders why it is still designated as a Major Collector, as compared to other streets that carry much more traffic. The parking survey that Tom mentioned was done by Ms. Locke not city staff. Some of the bump-outs hold trees and it is a proven fact that trees slow down traffic because they cut down the aspect of a street and make it look smaller. If the city wants to provide parked trucks along the street instead of the bump-outs we would support that. However, the trucks will not be there 24 hours a day, seven days a week, and will only be on one side of the street. The 26-miles per hour reference was given to us by staff at one of the meetings.

The amount of time and effort going into doing this project was a 24-hour study done at the wrong time of the year. One of the gentlemen who was supposed to speak today (Edward Goehring), and who has 40 years in traffic, put out the information about the study to an email list that he had and the results were that no one had heard of a 24-hour study that would support a conclusion that traffic calming could be removed from a street in a seasonal situation.

The discussions that have been happening over time are of concern as it appears that bike people have more available time and effort put into their side of the story to the city. We were told by the city traffic engineers that one or two of the options at the neighborhood meetings were eliminated because the bicyclists would not allow them.

Mr. Giesy noted that traffic is not that heavy on the street and that he can't imagine being afraid of being on the street in the slower times of the year on a bicycle although that might be the situation with pulling a cart behind you with children. A bike boulevard could easily handle that and it is doubtful that painted lines on the ground have anything to do with the amount of traffic or speed. Removing the traffic calming (devices) and expecting the bike lanes to slow people down is not a realistic point of view. Putting bike lanes, removing parking spaces and traffic calming with people crossing the street at all times of day and night will make the street more hazardous. It is likelier to have higher traffic flows and higher speeds and we would be somewhat happy if the study was done in the times that the street is being used most heavily. The city doesn't really doesn't have a way to know how much these areas are being used; especially given the fact that the track field and the soccer field have just been added.

Carlos Barrera—2470 Olive Street, Eugene noted that there was supposed to be a Map #6 of the Bicycle Transportation Plan submitted in the packet from the neighbors and wonders whether it was actually submitted?

Tom Larsen—I do not remember seeing it.

Carlos Barrera—In that case I would like to submit it into the record. Mr. Barrera also asked Mr. Larsen whether the wording of the survey of neighbors regarding the removal of parking was in the record.

Tom Larsen—I will put a copy in the record and email a copy to you.

Mr. Larsen noted that Mr. Giesy asked the question about with traffic volumes being down why W. 24th Avenue was considered as a Major Collector. He responded that the Arterial Street Plan refers to Major Collectors as those streets with between 2,500 and 7,500 vehicles per day and the current volume on W. 24th Avenue is 3,701 vehicles per day although volumes have been falling. Mr. Larsen mentioned that he was not familiar with any studies that show that trees are effective at reducing speed.

Mr. Larsen stated that he was basing most of his comments of the 85th percentile while many people wanted to talk about the average speed. He agreed that the average speed was around 26 miles per hour while the 85th percentile speed was around 29 miles per hour. The average speed before the traffic calming was about 28 miles per hour.

Greg Giesy—asked Mr. Larsen whether he believes that the bump-outs are effective.

Tom Larsen—Looking at the historical data, volume of traffic started falling in 1998 or 1999, leading up to the installation of the bump-outs. We don't know whether that was because of aging in the neighborhood, changes in traffic

patterns, or other routes opening up. It seems like the drop in volumes represented a trend separate from the bump-outs. My research indicates that bump-outs are not a particularly effective form of traffic calming. Most of the other forms are more effective but bump-outs get used when we have a higher classification of street, such as a major collector, or major run-routes, like 33rd Avenue, which has a fire station on it. Given the cost of construction and the amount of energy by the neighborhood to get a two-mile reduction in speed, I do not know whether that were a good investment. Research indicates that we can get a three to five mile per hour speed reduction by removing the centerline.

Greg Giesy asked Mr. Larsen whether traffic volume on this street lowering faster than on other streets? Mr. Larsen responded that it is surprising since the volume on most streets is increasing. This is a fully developed neighborhood, there isn't a lot of multi-family going in and there wasn't a lot of undeveloped lots to be developed in 1999. It is an unusual trend that predates the bump-outs.

Bernard Corrigan—We used to have a lot of dead pets that were struck by speeding vehicles but we don't have this problem since the installation of the traffic calming. Speaking as a cognitive psychologist, I think part of the function of the bump-outs is to increase driver attention to the roadway. People are afraid to travel down W. 24th Avenue at greater than the speed limit because they are afraid that they will hit the bump-outs and I don't think that the paint will have the same effect.

Mr. Darnielle indicated that he was taking official notice of TransPlan and the Bicycle Master Plan as they are not actually in the record. He noted that there was a proposal to suspend the Code's timelines to allow for a parking study during the summer. While he noted that he had no control over that issue he would agree to not issue a decision until at least May 21. So if there is an agreement worked between the appellants and the City to do a study then at that juncture he would not issue a decision until that study is completed and would probably have a hearing after the completion of the study. Failing to come to an agreement regarding that study, he would issue his decision at some point after May 21.

Mr. Darnielle closed the public hearing, assuring the audience that he would read everything in the record prior to issuing his decision. The meeting adjourned at 3:58 p.m.

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